



**METROPOLITAN
TRANSPORTATION
COMMISSION**

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**PLANNING COMMITTEE
MEETING OF SEPTEMBER 11, 2009
MINUTES**

Scott Haggerty, Chair
Alameda County

Adrienne J. Tissier, Vice Chair
San Mateo County

Tom Azumbrado
U.S. Department of Housing
and Urban Development

Tom Bates
Cities of Alameda County

Dean J. Chu
Cities of Santa Clara County

Dave Cortese
Association of Bay Area Governments

Chris Daly
City and County of San Francisco

Bill Dodd
Napa County and Cities

Dorene M. Giacomini
U.S. Department of Transportation

Federal D. Glover
Contra Costa County

Anne W. Halsted
San Francisco Bay Conservation
and Development Commission

Steve Kinsey
Marin County and Cities

Sue Lempert
Cities of San Mateo County

Jake Mackenzie
Sonoma County and Cities

Jon Rubin
San Francisco Mayor's Appointee

Bijan Sartipi
State Business, Transportation
and Housing Agency

James P. Spering
Solano County and Cities

Amy Worth
Cities of Contra Costa County

Ken Yeager
Santa Clara County

Steve Heminger
Executive Director

Ann Flemer
Deputy Executive Director, Operations

Andrew B. Fremier
Deputy Executive Director,
Bay Area Toll Authority

Therese W. McMillan
Deputy Executive Director, Policy

ATTENDANCE

Commissioner Spering called the Planning Committee meeting to order at 9:32 a.m. Other members in attendance were Commissioners Azumbrado, Chu, Haggerty, Halsted, Lempert, Rein-Worth, Tissier, and Yeager. Commissioners Bates, Cortese, and Daly also attended.

CONSENT CALENDAR: Minutes of September 11, 2009

Commissioner Worth moved approval, Commissioner Halsted seconded. Motion passed unanimously.

TLC 2.0 PROGRAM FRAMEWORK RECOMMENDATIONS

Mr. Ken Kirkey, ABAG staff, stated that the proposed program framework would provide incentives for development in priority developments areas. He noted that a significant change from the past TLC policy is that the grant size for the monies would be increased to up to \$6 million. The eligible program categories being recommended include streetscapes, non-transportation infrastructure, transportation demand management, and density incentives. He also stated that staff is recommending that flexibility be built into the program. Finally, he commented that staff recommended in July, and is continuing to recommend the current split of funds between the regional (2/3) and the county (1/3). This is in large part, because to generate and fund break-through projects requires a considerable amount of money.

Mr. Doug Johnson commented on the key issues. Regarding Developer Funding, staff proposes that the Committee consider the following: 1) Screening Criteria: Increase the local match requirement from 11.47% of total project cost, as required by federal policy, to 20%; and 2) Scoring Criteria: Reward higher percentages of local funding, including private, redevelopment, general fund, or other funds from the project sponsor.

Regarding the issue of investing TLC funds in parking garages, staff suggest that funds would only be awarded based on a local commitment to manage the proposed parking by charging fees, as well as using complementary policy tools from the MTC Parking Manual.

Finally, regarding the discussions of the allocation of funds to the regional and county level programs, staff proposes maintaining the current fund split, with two-thirds to regional projects administered by MTC and one-third to counties administered by the CMAs. He noted that this allows the commission the greatest flexibility to identify and

fund high-impact grant opportunities throughout the region; it also increases the likelihood that larger grants approaching the \$6 million maximum will be available to project sponsors.

Mr. Eli Naor, Chair of the Transportation and Land Use Subcommittee, stated that staff's recommendation is to fund TLC to the point of \$30 million per year. He recommended that this program be funded to \$60 million per year for a 6 year total of \$360 million. He also recommended that the lowest threshold for a grant be set at \$2 million. This will encourage communities to start aggregating their projects.

Mr. Sherman Lewis, Chair of the Transportation Economics and Pricing Subcommittee, stated that the Advisory Council passed the following motion: "MTC should study the opportunity costs of subsidized parking structures and the potential for alternative modes of access including rapid shuttles. MTC should discourage subsidized parking structures where alternative access is viable and should use funds to study alternative modes to meet global warming, focused growth, and TLC goals".

Mr. Lewis also requested the committee modify the staff recommendation under public garage funding to add the following, "funds should only be awarded after opportunity costs and alternative access such as rapid shuttles are studied". He noted that when car travel and parking structures are subsidized, it's inconsistent with the goals on global warming.

Mr. Marshall Loring, Elderly and Disabled Committee (EDAC), presented a slideshow on TOD's and proposed a policy regarding accessibility and inhabitability in TOD developments with funding by MTC, which states: 1) MTC will require at least 10% of townhomes be inhabitable by persons with disabilities by limiting TLC/HIP funds to only those projects that comply within ½ mile of transit; 2) MTC will require accessible paths of travel from within TLC/HIP funded developments and between TLC/HIP funded developments and within ½ mile of all transit; 3) Future station area planning grants shall require cities to plan for accessible TOD's stated in #2; and 4) Sponsor legislation to require interior habitability and exterior accessibility in no less than 10% of townhomes.

Commissioner Sprong expressed his concern with "Developer Funding", and requested that it read as "local development funds".

Commissioner Tissier noted that the committee has to consider the aging of the population, and suggested including EDAC's proposed policy into the program framework.

Commissioner Lempert agreed with Commissioner Tissier, and stated that with people living longer there will be more of a need for this. She endorsed including the policy but with some kind of language to flexibility. She also commented on the parking garages, and agreed with the language that Mr. Lewis suggested because it gives some flexibility. She noted that the burden of proof should be on the entity applying for funds to show why this would make good sense – strong criteria need to be built into the program. Lastly, she commented on the grant size, and prefers what staff is proposing.

Commissioner Yeager expressed his concern with the criteria that will be used to award grants. He asked how it would be worked out and if it will come back to the committee for review. Mr. Johnson stated that MTC had approximately \$15 million available for the last call for projects and received about \$115 million in requests. He noted that staff will bring proposed scoring criteria back to the committee within the next two months.

Commissioner Rein-Worth agreed that MTC's funding should be matched with other funds, and the goal of increasing the local match is very important. She stated that the parking policy needs to provide flexibility when local communities want to do shuttles vs. satellite parking garages. Lastly, she expressed her support of staff's recommendation on the 2/3 – 1/3 split, as well as the recommendation on accessibility.

Commissioner Halsted also urged staff to add language to allow funding for shuttles if it's feasible.

Commissioner Haggerty asked staff if funds that could be used for projects to correct some of the mistakes that have been made with some of the TOD design. Mr. Johnson said that is a good idea.

Commissioner Bates agreed with keeping the current split between regional and county funds, and to provide some flexibility in the matching funds required.

Commissioner Lempert requested a letter from the Partnership explaining their position on the funding split.

Commissioner Azumbrado expressed his concern about emphasizing accessibility of townhouses. He also commented on the dollar amounts for projects and noted that the federal government currently has a number of bills out on livable communities, and there's anticipation that there is going to be a huge infusion of cash over the next 6 months. Lastly, he noted that staff should look at the impact if we lose subsidized parking to determine the impact on the traveler's use of transit.

Commissioner Spering recommended that the committee move forward with the staff recommendation. He expressed his support with the 20% match, as well as the 2/3 – 1/3 split. He also stated that staff should consider that if projects do not meet the goals and objectives, a grant should be changed to a loan.

Commissioner Spering called for public comment.

- John Ristow, VTA, updated the committee on what VTA has been working on with their Board of Directors, and committees – discussing all of the RTP programs from FPI to TLC through regional Fix it First. VTA would like the commission to consider in all programs that Fix it First is a top priority. They believe that MTC should set regional policy, but implementation is better at the local level. He expressed concern that some of the transportation funds are going to be used for non-transportation projects, and would like to work the MTC staff on that. Another concern is that future programming of the

funds may be tied directly to the land entitlement approval process, which could tie up transportation funds for a long time.

- Bob Planthold, Vice-Chair Advisory Council, stressed that all of the recommendations were reviewed in multiple committee meetings by the Advisory Council as well as in subcommittees. He urged the committee to think about how to address the recommendations. He also commented on EDAC's recommendations, and urged the committee to just look at this in terms of townhomes because that's been one type of housing exempt from accessibility requirements.
- Carli Paine, Transform, expressed her support of the continuation of the existing 2/3 to regional – 1/3 to the county split. She also commented on using TLC funds for parking and stated that a good suggestion was raised to require that applicants demonstrate analysis that shows the need for parking vs. other alternatives before the funding is committed by the TLC program. Finally, she commented on the discussion of fully developing the transportation climate action campaign initiative, and encouraged the committee and staff to be clear about what the distinct purposes are between TLC and this climate program.

Commissioner Spring moved staff's recommendations including EDAC's recommendations and flexibility to consider parking projects. Commissioner Haggerty seconded with a direction to staff to consider how best to use funds to fix some of the mistakes that have been made with existing TOD's.

The motion passed unanimously.

OTHER BUSINESS/PUBLIC COMMENT

There being no other business, the meeting adjourned at 10:50 a.m. The Committee's next meeting is scheduled for Friday, September 11, 2009 at 9:30 a.m. in the Lawrence D. Dahms Auditorium, Joseph P. Bort MetroCenter, Oakland, CA.